

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JUNIOR WALKER and TAHERA BULLEN-WALKER, on behalf  
of themselves and on behalf of their infant  
children T.W. and N.W.,

Plaintiffs,

- against -

THE CITY OF NEW YORK, STACEY ROBINSON, Caseworker,  
New York City Administration of Children's Services,  
in her individual and official capacities, GLADYS  
WHITE, Supervisor, New York City Administration of  
Children's Services, in her individual and  
official capacities, JACQUELINE MCKNIGHT,  
Assistant Commissioner-Brooklyn, New York City  
Administration of Children's Services, in her  
individual and official capacities, SHARON ROGERS,  
Deputy Director for Brooklyn Field Office,  
Zone E, New York City Administration of Children's  
Services, in her individual and official capacities,  
BURTON LEWIS, Supervisor, New York City  
Administration of Children's Services, in his  
individual and official capacities, KAREN  
SAWYER-BARRO, Supervisor, New York City  
Administration of Children's Services, in her  
individual and official capacities, NATARSKY  
LOUISSAINT, Caseworker, New York City  
Administration of Children's Services, in her  
individual and official capacities, and JOHN  
MATTINGLY, former Commissioner of the New York  
City Administration of Children's Services, in his  
individual and official capacities,  
Defendants.

Civil Action No.: 12-CV-2545 (WFK) (MDG)

-----x  
April 16, 2014

(Continued.)

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12 New York City Administration of Children's Services,  
13 in her individual and official capacities, GLADYS  
14 WHITE, Supervisor, New York City Administration of  
15 Children's Services, in her individual and  
16 official capacities, JACQUELINE MCKNIGHT,  
17 Assistant Commissioner-Brooklyn, New York City  
18 Administration of Children's Services, in her  
19 individual and official capacities, SHARON ROGERS,  
20 Deputy Director for Brooklyn Field Office,  
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22 Services, in her individual and official capacities,  
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Index No.: 12-CV-2545 (WFK) (MDG)  
-----x

100 Church Street  
New York, New York

April 16, 2014  
10:32 a.m.

Deposition of the Defendant THE  
CITY OF NEW YORK, by TRACY FRANCIS-MARTIN,  
pursuant to Notice, before Erika Gunther, RPR,  
a Notary Public of the State of New York.

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A P P E A R A N C E S:

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BY: KATHY A. POLIAS, ESQ.

- and -

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(NOT PRESENT)

NEW YORK CITY LAW DEPARTMENT OFFICE OF THE  
CORPORATION COUNSEL

Attorneys for Defendants

100 Church Street  
New York, New York 10007

BY: CHARLES CAREY, ESQ.

Francis-Martin

Q. They could be used interchangeably?

A. Yes.

Q. This is a little bit tedious, but I have to go through it unfortunately. You understand that you've been called here as what's called a 30(b)(6) witness, correct?

A. Yes.

Q. I'm going to be asking you a series of questions relating to testifying as a 30(b)(6) witness.

Are you authorized by the City of New York to speak on behalf of the City of New York regarding any policies in place in ACS or the City of New York in 2007, 2008 and 2009 on assessing the credibility of children who were subjects of ACS investigations?

A. Yes.

Q. Are you authorized by the City of New York to speak on behalf of the City regarding any changes that were implemented to ACS' or the City of New York's policies or procedures for investigating complaints of child abuse or neglect, initiating petitions

Francis-Martin

of neglect or abuse in family court and/or  
prosecuting petitions of neglect or abuse in  
family court in 2005, 2006 or 2007, including  
but not limited to any changes that were  
implemented as a result of the case of  
Nixzmary Brown?

A. Yes.

Q. Nixzmary is N-I-X-Z-M-A-R-Y.  
That's the first name. Brown is the last  
name.

Are you authorized by the City of  
New York to speak on behalf of the City  
regarding any policies and procedures that  
were in place in ACS or the City of New York  
in 2007, 2008 and 2009 in documenting and  
recording marks that were found on the bodies  
of subject children?

A. Yes.

Q. By "subject children," I mean the  
children who were the subjects of ACS  
investigations.

A. Yes.

Q. Are you authorized by the City of  
New York to speak on behalf of the City

Francis-Martin

regarding any policies or procedures that were in place in ACS or the City of New York in 2007, 2008 and 2009 for the taking by ACS caseworkers or supervisors of photos or videos of subject children?

A. Yes.

Q. Are you authorized by the City of New York to speak on behalf of the City regarding any policies or procedures in place in ACS or the City of New York in 2007, 2008 and 2009 for investigating or examining the bodies of subject children?

A. Yes.

Q. Are you authorized by the City of New York to speak on behalf of the City regarding any policies or procedures in place in ACS or the City of New York in 2007, 2008 and 2009 for ACS caseworkers and supervisors applying first aid to subject children?

A. Yes.

Q. Are you authorized by the City of New York to speak on behalf of the City regarding any policies or procedures in place in ACS or the City of New York in 2007, 2008

Francis-Martin

and 2009 for when ACS should conduct removals of subject children from their families without a court order and/or how -- and/or how those removals should be conducted?

A. Yes.

Q. Are you authorized by the City of New York to speak on behalf of the City regarding any policies or procedures in place in ACS or the City of New York in 2007, 2008 and 2009 for assessing whether subject children were at imminent risk of danger?

A. Yes.

Q. Are you authorized by the City of New York to speak on behalf of the City of New York regarding any policies or procedures in place in ACS or the City of New York in 2007, 2008 and 2009 for questioning or interviewing subject children, whether at home, in school or another location?

A. Yes, I am.

Q. Are you authorized by the City of New York to speak on behalf of the City regarding any policies and procedures that were in place in ACS or the City in 2007, 2008

Francis-Martin

and 2009 regarding City employees and ACS making visits to schools concerning subject children?

A. Yes.

Q. Are you authorized by the City of New York to speak on behalf of the City regarding any policies or procedures in place in ACS or the City of New York in 2007, 2008 and 2009 for ACS caseworkers or supervisors filing criminal complaints or police reports against alleged or suspected abusers of children?

A. Yes.

Q. Are you authorized by the City of New York to speak on behalf of the City regarding any policies or procedures in place in ACS or the City in 2007, 2008 and 2009 for the placement of subject children in homes or with families after removal?

A. Yes, I am.

Q. Are you authorized by the City of New York to speak on behalf of the City regarding any zero-tolerance policy -- quote/unquote, zero-tolerance policy that was



Francis-Martin

in place in ACS or the City in 2007, 2008 and 2009 with regards to allegations of child abuse or neglect?

A. Yes.

Q. Finally, are you authorized by the City of New York to speak on behalf of the City regarding any policies or procedures that were in place in ACS or the City in 2007, 2008 and 2009 for ACS caseworkers and supervisors making entries into Connections?

A. Yes.

Q. Okay, thank you.

I'm going to be asking you a series of questions focused on the year -- mostly focused on the year 2009. If I'm deviating from the year 2009, I will let you know, but otherwise the question will be asking about what policies and procedures were in place in 2009.

Back during that time period in 2009, what was the function of the borough offices?

A. Okay, so the borough offices are located in all five boroughs. ACS,

Francis-Martin

Administration For Children's Services, is a division that investigates allegations of child abuse and neglect. A specific division within that agency that deals with those cases is called the Division of Child Protection. The Division of Child Protection, we have office location in all five boroughs, which we call the borough office. Some boroughs, because of their size, we have more than one site within that borough, so the role of the borough office -- the staff within the borough offices varies. The main function, this is where -- when cases are called into the State Central Registry, the SCR, when cases are called in, they are geographically assigned based on the location or the address, the geographic location of the alleged subject child, so the borough offices are then assigned these cases from -- directly from the State Central Registry, and then these cases are in turn dispersed to different units within the borough office that go out, and their job is to execute an investigation based on the information that was reported to the

Francis-Martin

State Central Registry.

Q. Okay.

When you speak about geographical regions, are those referred to as zones?

A. Zones, yes.

Q. Okay.

Back in 2009 did the borough office receive the reports directly from the State Central Register?

A. Yes.

Q. Who in those offices --

MS. POLIAS: Withdrawn.

Q. What was the title --

MS. POLIAS: Withdrawn.

Q. Was there a specific department within those borough offices that received the reports from the State Central Register?

A. Yes.

Q. Okay.

What department or section was that?

A. So when the cases come from the State Central Registry, they're first assigned to the applications unit.

Francis-Martin

Q. Okay.

Each borough office had an applications unit?

A. Yes, they do.

Q. What do the applications units do after they've received it?

A. So once the applications unit receives a case, their job is to perform a series of clearance to ensure that the addresses are correct, because sometimes cases come into the State and addresses are -- we have no address linked to -- we just have a series of names or date of -- and date of birth, so they have a series of clearance that they complete. Then they're also responsible -- responsible to assign the case to the unit based on the availability of that team and the community district within where that family resides.

Q. Okay.

How did the applications unit in each borough office actually receive the report from the State Central Register? By what method did they receive the report back

Francis-Martin

in 2009?

A. It's computerized.

Q. Are you familiar with the term  
Connections?

A. Connections, yes.

Q. Did those reports come over  
Connections to the applications unit?

A. Yes.

Q. Back in 2009, did the  
applications unit have access to parts of  
Connections that other units in the borough  
office did not have access to?

A. I am not sure, but I believe so.

Q. Okay.

What part of Connections, back in  
2009, did the reports come over -- come  
from --

MS. POLIAS: I'm sorry,  
withdrawn.

Q. Was there a specific part of  
Connections through which the report from the  
State Central Register came to the  
applications unit?

A. I don't understand that question.

Francis-Martin

1  
2 Q. Is it correct that Connections  
3 has different tabs or sections?

4 A. Yes.

5 Q. Okay.  
6 Was there a specific tab or  
7 section of Connections that the report from  
8 the State Central Register came in to for the  
9 applications unit to be able to view it?

10 A. I'm not sure if I understand the  
11 question, but I know it's called their  
12 workload. When cases come in, it's assigned  
13 to the supervisor -- the application  
14 supervisor's workload.

15 Q. Okay. Let me ask it a different  
16 way.

17 How was the applications unit  
18 alerted through Connections that a report was  
19 being sent from State Central Register?

20 A. They're able to see new cases on  
21 their -- on their workload.

22 Q. Okay.

23 A. Yeah, they see the cases come --  
24 pop up on their workload or -- yeah.

25 Q. Was there somebody in the

Francis-Martin

applications unit who was supposed to be monitoring whether reports were coming in from the State Central Register?

A. Yes.

Q. Okay.

Were they supposed to -- was there a way for them to be alerted so that they would immediately look at that report from the State Central Register when it came on Connections?

A. Yes, there is, because when cases are -- come in, there's a time frame in which we need -- they need to assign those cases to the units that are up next for cases.

Q. Okay.

Are you familiar with the term high priority?

A. Yes.

Q. What -- were some cases from Connections --

MS. POLIAS: I'm sorry, withdrawn.

Q. Was the term high priority used back in 2009 in relation to reports that were

Francis-Martin

on the selected safety factor, so a safety factor that's selected can also trigger a high-priority code on -- to populate on a case.

Q. Are you familiar with the term ORT?

A. Yes. That's the oral report transmission -- transmittal.

Q. That was the actual report that came from the State Central Register to the applications unit; is that correct?

A. Yes, it is.

Q. When the ORT came in, did it already have a priority code on it?

A. For the most times, yes, it does have a priority code assigned based on the nature of the allegations and the seriousness of the allegations.

Q. How many different priority codes were there?

A. 1 to 13, I believe. I think it's 1 to 13, priority codes 1 to 13.

Q. Which of those codes were considered high-priority codes?



Francis-Martin

1  
2 A. They would see there's no code  
3 assigned to it.

4 Q. Okay.

5 A. They would see that. However, I  
6 think I said before that that could change,  
7 because sometimes you go out and there are  
8 other factors or other contributing factors  
9 that were not reported, so based on the  
10 assessment that you complete and the trigger  
11 in their safety assessment, it then generates  
12 the -- attaches a priority code to that  
13 investigation.

14 Q. Okay.

15 If the ORT did not have a  
16 priority code on it, that would -- that meant  
17 that it was not a high priority; is that  
18 correct?

19 A. Yes.

20 Q. Okay.

21 Back in 2009, what was --

22 MS. POLIAS: Withdrawn.

23 Q. Back in 2009, what did the  
24 applications unit do with the ORT or the  
25 report from the central register after it

Francis-Martin

received it?

A. So once I -- once a case is received from the State Central Registry it goes to the applications unit. Then they are -- they're responsible to assign -- for assigning the cases to the -- either a protective diagnostic unit, or if the case is specifically regarding a sex abuse or hospital, those cases go to those units that handle those types of cases. If the case is an educational neglect case, then the case is going to the educational neglect unit.

Q. Okay.

What types of cases did the protective diagnostic units handle?

A. This unit basically handles everything, anything regarding substance abuse concerns, mental illness, children having marks or bruises, dirty homes, children being left home alone unsupervised. However, the -- for example, the educational unit would -- would respond to reports that were specifically concerning children not going to school and their educational needs were not

Francis-Martin

being met.

Q. Okay.

A. The sex abuse/hospital unit handles cases where -- for a hospital case, the child had to be in the hospital at the time of the report, the child is still in the hospital, or for sex abuse cases there are concerns of a child being sexually abused.

Q. Did the protective diagnostic units handle all the cases that the educational neglect, the hospital unit and the sex abuse unit --

A. Sometimes, I'm sorry.

Q. -- did not handle?

A. Sometimes, yes, they did, and sometimes they would handle educational neglect or sex abuse or hospital case too depending upon availability, because cases are assigned to units based on staff availability, so if you only had two workers present for the hospital and sex abuse that day, and you had five cases coming in, the other three cases wouldn't sit and wait for -- they were rerouted to other -- other units.

Francis-Martin

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Q. Back in 2009, who in the protective diagnostic units actually received the assignment from the applications unit?

A. Okay, so once the cases -- the application unit assigns the case to the child protective specialist supervisor. That supervisor reviews the case and then assigns the case to the staff that's -- there's a rotation, so they will assign the case next -- to the staff who is up next in the rotation.

Assignment means I -- there's a conversation with that staff as to what the report is about, what -- guidance is given as to what could be some of the possible causes, hypothesis as to what could be going on and guidance related to what actions or what steps we need to take to initiate the investigation.

Q. Okay.

Is it correct that there were multiple protective diagnostic units in the borough offices?

A. Yes.

Q. How did the applications unit decide which protective diagnostic unit to

Francis-Martin

assign it to?

A. They also have a pending rotation.

Q. Okay.

You said that a supervisor in the protective diagnostic unit would receive the assignment, correct?

A. Right, a Supervisor Level II received the assignment. Whether it's a protective diagnostic unit or it's an educational neglect unit or it's the hospital sex abuse unit, cases are assigned from the applications unit to a supervisor who is then going to disperse it to a child protective specialist.

Q. You mean a Supervisor II when --

A. A Supervisor II receives the case. Then he or she disperses the case to the child protective specialist.

Q. Were there any other factors that went into determining which child protective specialist or which caseworker would handle which case beside doing it on a rotation basis?

Francis-Martin

the caseworker who was up in the rotation, but the caseworker had the assistance of another caseworker in fulfilling that assignment; is that correct?

A. Right, correct.

Q. Okay.

Back in 2009, what was the hierarchy of titles within the borough office from lowest to highest?

A. Okay, so our -- our child protective specialist is the lowest.

Q. Is that also referred to as a caseworker?

A. A caseworker, yes.

Then some borough offices have Child Protective Specialist Supervisor I. That's above the caseworkers. Then the Child Protective Specialist Supervisor II, and then you have the child protective manager, the deputy director for that zone.

Q. Was the full title deputy director of operations?

A. Yes.

Then you have a first deputy.

Francis-Martin

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Q. Is the first deputy in the  
borough office?

A. Yes.

Q. Okay.  
Is there anyone above the first  
deputy?

A. Yes, the assistant commissioner.

Q. Back in 2009, if there were  
several borough offices in a borough, did each  
borough office -- was each borough office  
assigned to a specific zone in that borough?

A. So the borough offices could have  
more than one zone within that location --  
within that borough location.

Q. Okay.  
Do you mean one office could  
have --

A. One office --

Q. -- more than --

A. -- could have more than one zone.

Q. I'm sorry, I did it too. Let's  
just try to refrain from speaking over each  
other so the court reporter can take down  
everything.

Francis-Martin

A. Oh, okay.

Q. It's okay. I did it as well.

Back in 2009, did the first deputy have an office in a borough office that was responsible for one or more zones?

A. Okay, so the first deputy -- the borough has only one assistant commissioner and one first deputy.

Q. Okay.

A. They're responsible for all the borough office locations within that borough. The deputies are responsible for that office --

Q. Right.

A. -- for those zones within that office.

Q. So if there were multiple borough offices in a borough, where did the first deputy have his or her office? Where did he or she work from?

A. It varies. It varies. They could be anyplace at any time.

Q. Okay.

They had --



Francis-Martin

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2 A. There's a central location for  
3 them. However, because of the nature of the  
4 work they go to different offices. That's  
5 part of their...

6 Q. Where did the assistant  
7 commissioner have his or her office?

8 A. They too have a central location.  
9 However, they have to go to all their sites.

10 Q. Back in 2009, do you know where  
11 the central location was for Brooklyn?

12 A. Brooklyn, I believe the central  
13 location is at Bedford Avenue.

14 Q. Okay.

15 The deputy director of operations  
16 had his or her office inside the borough  
17 office; is that correct?

18 A. Bedford Avenue has different --  
19 different zones within there.

20 Q. I'm sorry --

21 A. So the deputy director is located  
22 in that office, as well as the assistant  
23 commissioner's office is there, and as well as  
24 the first deputy. Are the assistant  
25 commissioner and first deputy always there?

Francis-Martin

No, because there are several other locations within Brooklyn.

Q. Okay.

Did each -- did each borough office have its own deputy director of operations back in 2009?

A. Yes.

Q. In assigning cases to caseworkers or child protective specialists, was the Supervisor II supposed to consider at all the experience of the caseworker or child protective specialist within the agency?

A. No.

Q. What role did the Supervisor I play in the investigations back in 2009, or what role was the Supervisor I supposed to play within the investigations?

A. Well, they're very limited, Supervisor I, so their role varied, but they're basically the assistants to the Supervisor II. They can also go out into the field with CPS staff or caseworkers when -- when needed. They also cover cases when caseworkers are out, and they assist the

Francis-Martin

supervisor in supervisory functions such as case assignments, if the supervisor is not present, or sometimes they assist with convening family meetings with the caseworkers and families.

Q. Okay.

You said that -- did you say that they're very limited supervisors?

A. I's.

Q. Right, Supervisor I's are very limited supervisors; is that correct?

A. No, no, Level I Supervisors, we don't have a lot of them --

Q. Okay.

A. -- so not -- every Supervisor II does not have a Supervisor I.

Q. Okay.

Back in 2009, what role was the Supervisor II supposed to play in investigations of child abuse and neglect?

A. Okay, so the Supervisor II's main role is to assign the cases. They are to provide guidance to the staff as to what are the steps that are needed to investigate.

Francis-Martin

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2 Their role is to ensure that the casework  
3 practice guidelines are completed on all  
4 investigations. They are responsible to  
5 ensure that there's appropriate staffing  
6 within their units in terms of coverage for  
7 that unit. They also attend meetings with and  
8 on behalf of the caseworker to -- whether it's  
9 a school meeting, a family team meeting, a  
10 child safety conference meeting. They can be  
11 called into court for various reasons, so they  
12 do sometimes have to go to court. If the  
13 worker is out, they may be called to cover  
14 that case in court. There are specific time  
15 frames within the length of an investigation  
16 that that supervisor have to provide guidance  
17 as to where -- how to move that case  
18 investigation from one step to the next to  
19 closure. They are the eyes and ears for  
20 ensuring the appropriate resources are  
21 assigned to families when needed basically.

22 Q. Did that guidance include actual  
23 instructions to the caseworker?

24 A. Yes. They had to give verbal as  
25 well as written instructions to the

Francis-Martin

caseworkers.

Q. Okay.

When you said that the Supervisor II's --

MS. POLIAS: Withdrawn.

Q. You said that the Supervisor II's had to ensure compliance with the casework guidelines; is that correct?

A. Yes.

Q. What did you mean by casework guidelines?

A. Specific functions that need to happen during the course of an investigation that are mandated both through the State, as well as guidelines to support practice for case -- proper casework practice.

Q. Could you give me some examples of what you're referring to as regards to casework guidelines?

A. Okay, so, for example, a case comes in with regards to a child in the hospital who was born positive tox. The supervisor would -- roles could lead to, one, a review of that family's prior history, if

Francis-Martin

that family has history, to see what are the trends and patterns here, guidelines such as going out to the field, who the worker needs to talk to, what are -- what could be some possible questions to ask, guidelines regarding speaking with neighbors, speaking with family resources, guidelines regarding assessing the home. Is there food in the home? Does each child have appropriate sleeping arrangements? Assessing of the finances in the home to ensure that there is appropriate money -- you know, there's monies to cover the family's needs. Assessing school. Are the children in school? Are they attending school? Are there any concerns in school? Has Mom or the caretaker been cooperative with the school needs or their concerns? Speaking to all the adult subjects in the home, all the children who are in the home, getting information regarding their medical -- contact with medical providers, assessing children in terms of whether or not they have marks or bruises with the permission of the parent, contacting school, making

Francis-Martin

visits to the school and the list goes on.

Q. Okay.

A. Once the caseworker collects these things, then the supervisor -- it's documented. The supervisor is reviewing that information, and based on what's been -- the information that's coming in, then -- based on the information that's coming in, then they have to make other judgments as to what other steps are needed to proceed with this investigation.

Q. Okay.

Back in 2009, what role was the manager or the child protective manager supposed to play in the investigations?

A. Okay, so back in 2009 managers were assigned to high-priority cases. They were, like -- they were assigned to high-priority cases. Their role is to cover an area of at least three to four supervisors and their workers, so they could have anywhere from 20 up to 25 or 30 individuals that they're responsible for. Managers ensured appropriate coverage within their area,

Francis-Martin

ensured case practice was being completed,  
case practice guidelines were adhered to,  
ensured that policies and procedures were  
adhered to. They were there to consult on  
very serious cases or provide -- and  
provide -- as well as provide support to that  
supervisory team and CPS as to what next steps  
are needed to support the investigation.  
Managers had to complete -- have to complete  
random reviews of cases within their area.  
They have to meet individually as well as have  
group supervision with the supervisory teams  
in their area to provide support to them, to  
discuss agency policies or procedures that  
were given or to provide training with regards  
to any identified needs within their areas.

Q. Okay.

Who actually assigned the  
managers to high-priority cases?

A. Applications unit does that.

Q. Okay.

Were all high-priority cases  
specifically assigned to a manager by the  
applications unit?



Francis-Martin

priority -- I think, yes -- it varied. There were no specific conditions that they had to meet.

Q. Could he or she choose any three cases that he or she wanted to choose?

A. Yes, any case from the areas -- the supervisory areas for which they supervised.

Q. Okay.

What role was the deputy director of operations supposed to play in investigations?

A. I have been withdrawn from the field for a while. I don't recall their specific duties. I don't recall their specific duties.

Q. Okay.

You indicated that after the Supervisor II's assign the case to a caseworker they have a discussion with the caseworker about how to proceed in the case; is that correct?

A. Yes.

Q. What types of clearances, back in

Francis-Martin

not have had at the time of the case being assigned to them from the State Central Registry, so supervisors were providing, basically, similar clearances.

Q. After the Supervisor II had a conversation with the caseworker about the case, what was supposed to happen from there?

A. Okay, so once the caseworker received his or her case assignment and guidance was given by the supervisor, some of their task -- usually their first line of response is to contact the source of the report to ensure -- just to get further information with regards to the allegation that the State have recorded.

The CPS caseworker then goes out to the field. Within 24 hours for high-priority cases a home visit is made to see the alleged subject children and the alleged subject caretakers or within 48 hours for cases that does not meet -- the case is on nonhigh-priority levels. For the most part we would say that cases are initiated within 24 hours. Regardless of what priority they

Francis-Martin

have, cases are initiated within 24 hours.

Q. Okay.

Was that the practice back in 2009, to try to initiate all types of cases within 24 hours in terms of a home visit?

A. Yes.

Q. Was the caseworker back in 2009 supposed to call the family before making the home visit?

A. No.

Q. Okay.

A. Even today, no. Visits -- visits were made anonymously, first visits. There are times when you made an anonymous visit, and if you are continuously missing the family, then you make a call, based on the number you have, to try to coordinate an appointment to go out and see the family.

Q. Back in 2009, what was the caseworker supposed to do when he or she was at the home?

A. Okay, so cases -- a case is received. A worker gets his or her guidance. They go out to the home, meet with all the

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family members, conduct separate interviews of all the family members present in the home for the adult subjects, interviews relevant to the nature of the allegations, engagement with the client with regards to, you know, how was your day, et cetera, getting a general gist of what's going on in the home, and they were to assess the home. Is there adequate sleeping arrangement for the children? Is there sufficient food in the home? Is there appropriate finances? How was the family supporting themselves? With regards to the children, each child is to be interviewed separately. We are to ask the parents' permission to show the child -- show us the child's body to check for any suspicious marks and bruises, ask information regarding medical, school information, having the parent sign releases for contact with these resources that they're giving us so we can confirm or just -- you know, confirm the information that they're providing, find out about different family supports, speak to the children about the allegations, speak to them about any

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concerns they may have. It's an opportunity for them to also ask us questions. It's an opportunity for us to identify with the family any need for any services or resources that might be needed and an opportunity for us to help the family, to be supportive and support the family in that way.

Sometimes when we go out on cases there may be safety concerns that require either immediate use of our emergency removal powers or if the child is in imminent danger or we could exercise our right to receive a court order prior to that remove -- to removing the child. There are times when we go out where we see a need for immediate hospital involvement, and we're advising the parent they need to take the child to the hospital or -- so we could either, you know, escort them just to make sure that they go.

There are times when we go out on cases and there might be need for us to contact our initial response team, which is our IRT coordinator, to say there might be possible criminality here and we need

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assistance of NYPD. Sometimes that's already initiated prior to going out, but if we go out and we find other information that wasn't shared to the State, we have a right to do so.

Q. Okay.

Was the caseworker supposed to try to interview the child in the home during the first home visit?

A. Yes.

Q. Are you familiar with the casework practice guide?

A. Yes.

Q. In that practice guide, is it recommended that the caseworker try to interview the child in school or at another location and not at the home?

A. Yes.

Q. Do you know why that recommendation is made?

A. Okay, so the recommendation is made for us to interview children at home, also to interview them in a neutral place, which more than likely for us, our setting, purposes of -- is going to be the school, and

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field, or they could be partnered with other seasoned workers.

During training they're learning about the different policies that affect the work, or as policies are disseminated they're being -- they're learning about them from either their supervisors or their managers as having support to explain what the policy is about and how does it affect the work that they do.

Q. Are you familiar with something called a training unit?

A. Yes.

Q. Back in 2008 and 2009, were there training units within the borough offices?

A. Yes.

Q. After the caseworkers finished their training at the Satterwhite Academy during that period, were they assigned to training units in the borough offices?

A. Yes, they were.

Q. How long were they assigned to those training units for?

A. I don't remember the exact length

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of time. I don't remember.

Q. What was the purpose of the training unit in the borough offices back in 2008 and 2009?

A. So the training unit provided a more timed atmosphere for how cases were assigned. They got one -- they -- the workers in the training unit would receive only one case per week. That case -- when they got that case, the same procedure is followed in terms of how they receive guidance from the supervisor. On their first case they often went out to the field with a supervisor to, kind of, guide them through how to manage the work while they're doing the interviews with the family, while they're out there in the field, or as time went on they'll probably go with a more seasoned worker, and the case -- the pace of the assignment of cases is much slower within the training unit so as to give them time to process, to give them time to understand what they're doing. They're in training, so it's to teach them, basically, what they're -- teach them about the work in



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1 which they're about to pursue, so it was more  
2 timely. It was more poised. It was more  
3 calm. You're getting one case a week during  
4 the first month, and then it gradually  
5 increases to pretty much where -- as if you  
6 were in a regular unit, because in a regular  
7 unit you can get maybe one or two cases per  
8 week or sometimes three, depending on the  
9 season of the year and how many cases are  
10 being called in. It varies.

11 Q. Earlier you mentioned the term  
12 safety factors. Do you recall mentioning  
13 that?  
14

15 A. Um-hmm.

16 Q. Under ACS policy, what was the  
17 definition of safety factors back in 2009?

18 A. They've always been the same.  
19 Safety factors are factors which speaks  
20 to triggers that may affect the safety of the  
21 child. For example, some of the safety  
22 factors include there may be a weapon in the  
23 home. There may be domestic violence going  
24 on. Is there mental health -- there might be  
25 a mental health concern, substance abuse, and

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and practices?

A. The casework practice guideline back in those -- it contained steps and different questions that could be asked during the course of the -- during the course of the investigation. I don't recall that specific policies were linked to the casework practice guideline at that time. I don't recall that happening, that they were linked within, but there were questions as to what could be asked, what should be looking for, what were the triggers, et cetera.

Q. Were the casework practice guidelines part of ACS policy?

A. Yes, it was.

Q. Okay.

The casework practice guidelines were included in the casework practice guide; is that correct?

A. Yes.

Q. Back in 2009, under ACS policy were caseworkers required to try to make observations of the unclothed portions of the child's body during the investigation?

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A. Yes.

Q. What were they supposed to be looking for?

A. Marks, suspicious marks or bruises. We would ask the caretaker to disrobe the child, and children would be observed in the presence of the caretaker to assess if there were any suspicious marks or bruises.

Q. Okay.

Were ACS caseworkers required to ask the caretaker to disrobe the child in any -- in all types of cases?

A. Yes. Yes, they were.

Q. Was that no matter what the allegations were?

A. That was part of our initial assessment, to observe the child, if they have any suspicious marks or bruises. Yes, because -- and that was done because sometimes a case could be reported for -- regarding mom's mental illness, but Mom is also using excessive force to discipline this child and leaving marks or bruises, so part of our